

0011



## State of Utah

Department of  
Natural ResourcesMICHAEL R. STYLER  
Executive DirectorDivision of  
Oil, Gas & MiningJOHN R. BAZA  
Division DirectorJON M. HUNTSMAN, JR.  
GovernorGARY R. HERBERT  
Lieutenant Governor

## Representatives Present During the Inspection:

|         |              |                             |
|---------|--------------|-----------------------------|
| OGM     | Pete Hess    | Environmental Scientist III |
| Company | David Shaver | Manager                     |

# Inspection Report

|                  |                         |
|------------------|-------------------------|
| Permit Number:   | C0070033                |
| Inspection Type: | PARTIAL                 |
| Inspection Date: | Wednesday, May 27, 2009 |
| Start Date/Time: | 5/27/2009 8:30:00 AM    |
| End Date/Time:   | 5/27/2009 9:45:00 AM    |
| Last Inspection: | Tuesday, April 14, 2009 |

Inspector: Pete Hess, Environmental Scientist IIIWeather: Sunny, cool; 60's F.InspectionID Report Number: 2016

Accepted by: jhelfric

6/4/2009

Permittee: **ANDALEX RESOURCES INC TOWER DIVISION**Operator: **ANDALEX RESOURCES INC TOWER DIVISION**Site: **WILDCAT LOADOUT**Address: **6750 AIRPORT RD, PO BOX 902 PRICE UT 84501**County: **CARBON**Permit Type: **PERMANENT COAL PROGRAM**Permit Status: **ACTIVE**

## Current Acreages

|        |                 |
|--------|-----------------|
| 100.00 | Total Permitted |
| 20.85  | Total Disturbed |
|        | Phase I         |
|        | Phase II        |
|        | Phase III       |

## Mineral Ownership

- ☒ Federal  
☐ State  
☐ County  
☐ Fee  
☐ Other

## Types of Operations

- ☐ Underground  
☐ Surface  
☒ Loadout  
☒ Processing  
☐ Reprocessing

## Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

The Carbon County area has received several thunder showers over the past five days. The vegetation in both the disturbed and undisturbed areas is responding quickly to the moisture. Cacti and wild flowers are in bloom.

Mr. Scott Dimick also attended part of today's inspection.

Inspector's Signature:

Date Wednesday, May 27, 2009

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

**Note:** This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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**REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS**

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

|  | Evaluated                           | Not Applicable                      | Comment                             | Enforcement              |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 1. Permits, Change, Transfer, Renewal, Sale                      | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 2. Signs and Markers   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 3. Topsoil   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.a Hydrologic Balance: Diversions                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.b Hydrologic Balance: Sediment Ponds and Impoundments          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.c Hydrologic Balance: Other Sediment Control Measures          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.d Hydrologic Balance: Water Monitoring                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.e Hydrologic Balance: Effluent Limitations                     | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 5. Explosives  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. Disposal of Excess Spoil, Fills, Benches                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 7. Coal Mine Waste, Refuse Piles, Impoundments                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Noncoal Waste   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Slides and Other Damage                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 11. Contemporaneous Reclamation                                  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 12. Backfilling And Grading                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 13. Revegetation   | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 14. Subsidence Control   | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 15. Cessation of Operations                                      | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 16.a Roads: Construction, Maintenance, Surfacing                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 16.b Roads: Drainage Controls                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 17. Other Transportation Facilities                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 18. Support Facilities, Utility Installations                    | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 19. AVS Check  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 20. Air Quality Permit   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 21. Bonding and Insurance  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 22. Other  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

### **3. Topsoil**

The vegetation on the topsoil piles is growing well. There was no runoff being contained by the perimeter berms.

#### **4.a Hydrologic Balance: Diversions**

All diversions which were inspected this day appeared capable of functioning as designed. There was no visible flow in any of them.

#### **4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The Permittee (through Scamp Excavation) has completed the sediment cleanout from all six of the permit area ponds (A-F) during May. Mr. Cody Ware of Ware Surveying and Engineering Company was preparing to survey the ponds this day such that recertification of the ponds can occur in accordance with the requirements of R645-301-514.312. Mr. David Hibbs, Utah P.E., will complete the recertification process for the Permittee.

#### **4.c Hydrologic Balance: Other Sediment Control Measures**

The Permittee has installed excelsior log booms upstream of the straw bales defining the fence line east of sediment pond #2.

#### **4.d Hydrologic Balance: Water Monitoring**

Sediment pond E contained a small pool of water. There was no visible flow in any of the sites diversions.

### **7. Coal Mine Waste, Refuse Piles, Impoundments**

The Permittee has recently regraded the outcrops of the refuse pile. A berm is installed about the crest of the pile for drainage control. There was no noncoal waste material visible within the material. The MSHA identification sign was in place. There were no visible or detectable signs of spontaneous combustion within the pile.

### **9. Protection of Fish, Wildlife and Related Environmental Issues**

No wildlife was observed during today's inspection.

### **20. Air Quality Permit**

All roads and operational pads were still retaining moisture from the recent thunderstorm events. No dust was visible behind the trucks accessing the site.